



## APPEALS

**11A:2-13** Opportunity for appointing authority hearing. Before any disciplinary action in subsection a.(1), (2) and (3) of N.J.S. 11A:2-6 (removal or, a suspension or a fine greater than 5 days, 15 days or more in any one calendar year or more than three suspensions or fines in a calendar year) is taken against a permanent employee in the career service or a person serving a working test period, the employee shall be notified in writing and shall have the opportunity for a hearing before the appointing authority or its designated representative. The hearing shall be held within 30 days of the notice of disciplinary action unless waived by the employee. Both parties may consent to an adjournment to a later date.

This section shall not prohibit the immediate suspension of an employee without a hearing if the appointing authority determines that the employee is unfit for duty or is a hazard to any person if allowed to remain on the job or that immediate suspension is necessary to maintain safety, health, order or effective direction of public services. In addition, where a suspension is based on a formal charge of a crime of the first, second or third degree, or a crime of the fourth degree if committed on the job or directly related to the job, the suspension may be immediate and continue until a disposition of the charge. The board shall establish, by rule, procedures for hearings and suspensions with or without pay.

**11A:2-14** Notice to employee of right to appeal. Within 20 days of the hearing provided in N.J.S. 11A: 2-13, the appointing authority shall make a final disposition of the charges against the employee and shall furnish the employee with written notice. If the appointing authority determines that the employee is to be removed, demoted or receive a suspension or a fine greater than five days, the employee shall have a right to appeal to the board. The suspension or fine of an employee for five days or less shall be appealable if an employee's aggregate number of days of suspended or fined in any one calendar year is 15 days or more. Where an employee receives more than three suspensions or fines of five or less days in a calendar year, the last suspension or fine is appealable.

**11A: 2-15** Appeal procedure. Any appeal from adverse actions specified in N.J.S. 11A: 2-13 and subsection a. (4) of N.J.S. 11A: 2-6 shall be made in writing to the board no later than 20 days from receipt of the final written determination of the appointing authority. If the appointing authority fails to provide a written determination, an appeal may be directly to the board within a reasonable time.

### FOR PERSONNEL USE ONLY ● DO NOT MAKE ANY ENTRIES BELOW

ADDITIONAL HISTORY				
Effective Date	Status	Title	Division	Remarks

#### STATUS OF AVAILABLE LISTS:

- ☐ NO LIST EXISTS   
 ☐ SPECIAL REEMPLOYMENT LIST   
 ☐ REGULAR REEMPLOYMENT LIST  
☐ O/C LIST: Symbol: \_\_\_\_\_ Expiration Date: \_\_\_\_/\_\_\_\_/\_\_\_\_ ☐ Complete ☐ Incomplete ☐ Incomplete Rejected  
☐ PROM LIST: Symbol: \_\_\_\_\_ Expiration Date: \_\_\_\_/\_\_\_\_/\_\_\_\_ ☐ Complete ☐ Incomplete ☐ Incomplete Rejected

- ☐ NO APPROPRIATE LIST  
☐ APPROPRIATE LIST EXISTS    Certify as appropriate form    ☐ O/C    ☐ PROMOTION    ☐ SRL    ☐ RRL  
 Title \_\_\_\_\_ Symbol \_\_\_\_\_ Expiration Date: \_\_\_\_/\_\_\_\_/\_\_\_\_  
 INFORMATION VERIFIED BY \_\_\_\_\_ Date \_\_\_\_\_

<b>136</b>	<b>EXAM GENERATION SECTION</b>
CODE	Announce O/C Exam open to
<div style="margin-bottom: 10px;"><input type="checkbox"/> Jurisdiction Only</div> <div style="margin-bottom: 10px;"><input type="checkbox"/> Other</div> <div style="margin-bottom: 10px;">           _____            _____            _____         </div> <div style="text-align: right;"><input type="checkbox"/> PAT Prepared</div>	